

### **Newstead Town Board Meeting- April 10, 2006**

A Public Hearing was called to order by the Newstead Town Board on Monday, April 10, 2006 at the Newstead Town Hall at 7:50PM.

Present: David Cummings- Supervisor  
Tom George- Councilman  
Harold Finger- Councilman  
Mark Decker- Councilman  
Brian Murray- Councilman  
Michael Bassanello- Highway Supt.  
Andrew Casolini- Town Engineer  
Rebecca Baker- Assessor  
Christine Falkowski- Building Administrator  
Nathan Neill- Town Attorney  
Kathleen McLeod Lang- Deputy Town Clerk

The Supervisor called the public hearing on the proposed site plan amendment for Niagara Specialty Metals to construct 2 insulated metal frame structures to order at 7:50 PM.

The Deputy Clerk read the proof of publication.

The Town Engineer stated that this project has been reviewed by the NYSDEC and Wendel Duchscherer, and that the NYSDEC has issued an Air Facility Registration Certificate, which permits the operation of the dust collectors effective February 22, 2006.

Comments: No one spoke

With no other comments being offered, a motion was made by Councilman Finger, seconded by Councilman Decker to close the public hearing on Niagara Specialty Metals proposed site plan amendment at 7:54 PM

The Supervisor called the public hearing on the proposed 8-lot major subdivision on Berghorn & Crego Roads to order at 7:55pm.

The Deputy Clerk read the proof of publication.

The Town Engineer stated that drainage calculations are needed and must be reviewed for all proposed and existing structures.

Comments: Dave Sutton, of Dean Sutton Architects, stated that he has the plans for the subdivision and can do a presentation at this time. The Supervisor stated that the board has reviewed the plans and if anyone else had any questions Mr. Sutton would be available.

With no other comments being offered, a motion was made by Councilman Murray, seconded by Councilman George to close the public hearing on the Berghorn Major Subdivision at 7:58PM

The Regular Meeting of the Town Board of the Town of Newstead was called to order at 8:00pm with the same members present as listed above.

John Good led the pledge to the flag.

Minutes from the previous regular board meeting held on March 27, 2006 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Decker to accept as presented. Carried Unanimously

**Communications** – The Deputy Town Clerk presented the following:

A letter from Ronald Sequin of Brucker Road, with a petition signed by 24 other Brucker Rd residents, requesting a reduced speed limit on Brucker Rd. Residents would like the speed reduced from 55 mph to 35 mph.

The monthly report for March 2006 was received from Amherst Central Alarm office with Akron Fire Co. receiving 34 calls and Newstead Fire Co. receiving 23 calls.

The monthly report for March 2006 was received from Twin City Ambulance Corporation with response statistics. Akron had 28 Hot and 17 Cold. Newstead had 22 Hot and 12 Cold.

A letter from Arrowhead Golf Club owner Joe Frey indicating that he is applying for the annual summer liquor license for the golf course located at 12292 Clarence Center Rd.

A notice of a public informational meeting to be held at the Lancaster Senior Center, 100 Oxford Ave. on Tuesday, April 18<sup>th</sup> from 7:00pm – 9:00pm to discuss the Heritage Hike & Bike Trail project within the Town of Lancaster.

A notice of the 70<sup>th</sup> Annual WNY Safety Conference 2006 will be held on May 17 and 18, 2006 at the Holiday Inn, Grand Island, NY. This years Conference also features a unique pre-conference training opportunity that targets both the safety professional and the front line supervisor. On Monday, May 15 and Tues 16<sup>th</sup>, these Training Sessions will be available, the OSHA 10 hr. Construction Outreach program and the OSHA 10-hour General Industry Outreach Programs.

A motion was made by Councilman George, seconded by Councilman Murray to receive and file correspondence as presented.  
Carried Unanimously

**Work Session:** Supervisor Cummings reported that at the work session held on April 3rd the following issues were discussed: Water District #10-all phases, district #1 & #3 switch over to ECWA, water service at the Rapids Rd substation, shared facilities project, re-zoning of Rt. 5, Local Law #1 & #2, NYS Police garage/Akron Village police services, Planning/Zoning issues, residency requirements, fire contract 2006, Town Park path to County Park, NIMS, job descriptions, Terms & Conditions for employees, job application proposal, as well as executive session personnel issues.

**Privilege of the Floor** – Dick Campbell, 12710 Brucker Road, asked why 22 years ago the speed limit on Brucker Road was reduced but never posted as it was on Kathryn & Clair. He also mentioned item 10-E on agenda regarding the Court Clerk title change.

**Approval of Bills** -Councilman Decker reported that the Abstracts from Batches #497 & #498 from the March 27, 2006 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #502. Vouchers on these abstracts numbered #301 -337, totaling \$109,646.615 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #502:

General Fund (A) -\$10,140.45, Fund (B) \$1,980.75, Highway (DA) -\$0, Highway: Outside Village (DB) \$994.31, Capital Projects: CAP-WD#10 (HI)- \$46.00, Highway Garage (HG)- \$0, Drainage (SD)- \$0, Fire Protection (SF) \$75,104.00, Refuse (SR) \$21,381.10, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$0, (SW2) \$0, (SW3) \$0, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, (SW10) \$0, Trust & Agency(TA)- \$0  
Totaling \$109,646.61. Carried

## **COMMITTEE AND DEPARTMENT HEAD REPORTS**

**Highway** – Superintendent Bassanello stated that 10-hour days for the Highway Dept. will begin April 17<sup>th</sup>, the new zero-turn mower has arrived, the roads are being swept, and they are rolling the soccer fields at the Town Park. He will be attending the NIMS meeting and Highway Association meeting on April 18<sup>th</sup>.

**Assessor** – Nothing at this time

**Building Office** –the following building report was presented by the Building Administrator Christine Falkowski:

Blair,Gary	5605 Cummings	Deck
Bower,Chris/Berghorn,T	7878 Moore	Pond
Archland Property (McDonald's)	12976 Main	Repair/Replacement
Pennachio,Barbara	7647 Greenbush	Shed
The Dog House	11986 Main	Sign
Keith Kuzara	12282 Rapids	Garage
Jean Jenkins	5731 Barnum	Demo
Jeremiah Franklin	11687 Clarence Ctr.	Deck
William Eldred	6062 Cummings	Garage Addition

**Town Clerk-** The March 2006 Dog Control Officer's Monthly Report was presented

**Attorney for the Town** – Commented on the case challenge of NYSEG's request for removal of property from special district charges.

### COUNCILPERSONS

**George-** Nothing at this time

**Finger-** Thanked the Highway Dept. for repairing the tree damage at the Town Park. A barrier is needed for the Park pavilion. There will be a lock change and new keys issued to the Highway Dept., Jim Akin and the Akron Soccer League for the pavilion tomorrow. He questioned Mike Bassanello on the County Park maintaining soccer fields, as the annual soccer tournament is scheduled for May 5 – 7, 2006. The County Parks are open but limited crews will be maintaining the grounds. Mike will meet with County on April 17<sup>th</sup> for more information on their work schedule and how much manpower may be required from the Town.

**Decker-**The Drainage Committee meeting will be held Tues, April 18<sup>th</sup>, and he requests attendance of Board Members. Since the appointment of new Recreation Director, Terri Bierasinski, Akron Central School has been pleased with coverage at the school.

**Murray-**Nothing at this time

**SUPERVISOR-** SEQR Process Training will be presented by Drew Reilly of Wendel Duchscherer on May 1, 2006 for Town employees, boards and committee members. He met with the Assistant Commissioner of Erie County Parks and was told the County Park is open. He spoke to Kumar, the head Code Enforcement Officer for this region in New York State. He spoke to senior representatives and continued work on job descriptions.

### UNFINISHED BUSINESS

**Water District #10- Phase 1A & Phase 1B** – The restoration this week consists of paving at the southern end of town finishing ditch grades and hydrants at the northern end.

**Water District #10 Phase 2-** DWSRF “pass-through dollars” are behind scheduled. Hopefully within two weeks more information will be available.

**Water Tank-**Hydrostatic testing is in process with painting to follow. The tank should be completed in July. Water District #1 change over is in the process and meeting to be scheduled. Councilman Decker questioned the status of two residents on Cedar Street that needed information. This is being handled by Jim Akin with door-to-door contact.

**Route 5 Zoning-**This will be discussed more in Work Session tonight and next week, with a decision in 30 days.

**Shared Public Works Facility Committee-**Tom George will be e-mailing meeting dates to the Committee. He will be getting together with the Village of Akron regarding schematic layouts and other problems.

Other: The Supervisor reported that Fire Company contracts were not renewed last year, and that finances with both Akron and Newstead Fire Companies are being ironed out for 2007, 2008 and 2009.

**NEW BUSINESS:**

**Niagara Specialty Metals- Negative SEQR Declaration & Site Plan Approval:**

A motion was made by Councilman Decker, seconded by Councilman Finger approving the Negative Declaration of the SEQR and proposed site plan amendment for Niagara Specialty Metals allowing construction of two insulated metal frame structures around the new dust collecting units in the Town of Newstead.

(Resolution Attached)      Ayes-5      Nays-0      Absent-0      Carried Unanimously

**Residency Preference Policy**

A motion was made by Councilman George, seconded by Councilman Murray, approving the Residency Preference Policy for the employees in the Town of Newstead. All residents of the Town of Newstead will be given first preference for employment. This provision does not prohibit individuals who reside outside the Town of Newstead from employment.

(Resolution Attached)      Ayes-5      Nays- 0      Absent-0      Carried Unanimously

**Acting Code Enforcement Officer Appointment**

A motion was made by Councilman Murray, seconded by Councilman George, approving the appointment of John Good as Acting Code Enforcement Officer for the Town of Newstead. The Town Board does hereby authorize the Town Supervisor to execute a Contract for Code Enforcement Services with John Good setting forth the terms as approved by this resolution

(Resolution Attached)      Ayes-5      Nays-0      Absent -0      Carried Unanimously

**Court Clerk Title Change**

A motion was made by Councilman Finger, seconded by Councilman George, approving the establishment of the position of Clerk to the Town Justice, and pursuant to the requests of both Town Justices, appoint Sandra Pietrowski to the position of Clerk to the Town Justice. The Supervisor stated that this will be effective April 17, 2006 and is subject to the budget.

(Resolution Attached)      Ayes-5      Nays-0      Absent -0      Carried Unanimously

Supervisor Cummings announced a Joint Meeting of the Newstead Town Board and Village of Akron Boards on April 17<sup>th</sup> at the Newstead Town Hall after the Village Board Meeting. There will be no action on the job descriptions until Terms and Conditions are completed. There also will be no action tonight on the Highway bid, future review is needed.

**Question Period**-No one spoke

There being no further business to come before the board, a motion was made by Councilman Decker, seconded by Councilman Murray to adjourn the meeting at 8:34 PM.

Carried Unanimously

Respectfully Submitted,  
Kathleen McLeod Lang, Deputy Town Clerk